



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Cesar Quilodran,

Plaintiff,

-against-

764 Third Avenue Wine & Liquor Inc. et al.,

Defendants.

1:24-cv-09551 (SDA)

ORDER

**STEWART D. AARON, United States Magistrate Judge:**

Pending before the Court is the parties' request to approve the settlement in this action in accordance with *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 206 (2d Cir. 2015). (See 4/2/2025 Notice, ECF No. 32.) Having reviewed the parties' submission, it is hereby Ordered that, no later than Friday, April 11, 2025, the parties shall file a joint letter addressing the following:

1. Clarifying the total amount of expenses. The parties' state that the expenses are a filing fee of \$405 and \$65 fee for service (see Notice at 5), but that the receipts submitted in Ex. C appear to contain an additional service-related expense of \$50. (Notice Ex. C, ECF No. 32-3.)
2. Clarifying the amounts due to Plaintiff and counsel. The parties assert that, of the \$31,000 settlement amount, Plaintiff will receive \$20,313.00, or two-thirds of the settlement after the deduction of expenses, and that Plaintiff's counsel will receive \$10,687.00, or one-third of the remaining amount plus reimbursement of expenses. (See Notice at 3, 5.) However, even if the current statement of expenses is correct (\$405 filing fee plus \$65 service fee for a total of \$470), these numbers do not appear to be correct. By the Court's calculation, Plaintiff would be entitled to two-thirds of

\$30,530 (\$31,000 minus \$470) which amounts to approximately \$20,353.33 and counsel would be entitled to approximately \$10,176.66 plus \$470 in expenses, which amounts to \$10,646.66. In short, the amounts calculated by the parties appear to be off by approximately \$40. Including an additional expense of \$50 does not appear to account for this discrepancy.

3. Plaintiff's counsel shall provide the Court with copies of the relevant retainer agreements. (*See* Notice at 4.)

**SO ORDERED.**

Dated: New York, New York  
April 4, 2025

A handwritten signature in cursive script, reading "Stewart D. Aaron", written in black ink.

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STEWART D. AARON  
United States Magistrate Judge